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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450 on June 1, 2004.

Rhonda A. Etienne 6/1/04  
Rhonda A. Etienne Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Achilefu et al.  
Application No.: 10/814,404 (Divisional of U.S. Patent Application Serial No. 09/688,949 filed October 16, 2000, now U.S. Patent No. 6,716,413)  
Filed: March 31, 2004  
Art Unit: Unknown  
Confirmation No.: 5388  
Examiner: Unknown  
Title: **TISSUE-SPECIFIC EXOGENOUS OPTICAL AGENTS**  
Atty. Docket No.: MRD-54DV

Cincinnati, Ohio 45202

June 1, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. The pertinency of each of these disclosures is evident in the file wrapper of applicants' Achilefu et al. parent application Serial No. 09/688,949,

filed October 16, 2000, now U.S. Patent No. 6,716,413 upon which this divisional application is based. Accordingly, no further comment on the disclosures is believed necessary.

Copies of the cited references are in the parent case and thus copies are not submitted herewith, except for the International Search Report in the corresponding PCT Application No. PCT/US01/31720.

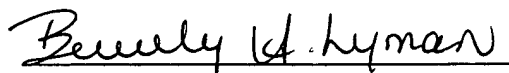
No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

A handwritten signature in cursive script, reading "Beverly A. Lyman".

Beverly A. Lyman, Ph.D.

Reg. No. 41,961

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
Office: (513) 241-2324  
Fax: (513) 421-7269

SUBSTITUTE FORM PTO-1449  
(MODIFIED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
MRD/54DVSERIAL NO.  
10/814,404INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANT  
Samuel Achilefu, et al.

(37 CFR 1.98(b))

Use several sheets if necessary)

FILING DATE  
March 31, 2004GROUP  
Unknown

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	A.B	5	7	8	0	2	1	8	07/1998	Mifune et al.	430	599	04/1996
	A.C	6	0	3	0	9	4	8	02/2000	Mann	514	12	12/1997
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## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
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## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	A.R	Christopher C. Baker, M.D., <u>Epidemiology of Trauma Deaths</u> , Amer. Jour. of Surg., Vol. 140, 1980, pp. 144-150.
	A.S	John Baldas et al., <u>Preparation, HPLC Studies and Biological Behaviour of 99m Tc- and 99mTcN-radiopharmaceuticals Based on Quinoline Type Ligands</u> , Nucl. Med. Biol., Vol. 19, No. 4, 1992, pp. 491-496.
	A.T	Frank B. Cerra, M.D., <u>Multiple Organ Failure Syndrome</u> , New Horizons: Multiple Organ Failure, Society of Critical Care Medicine, 1989, pp. 1-24.

EXAMINER

DATE CONSIDERED

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SUBSTITUTE DISCLOSURE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MRD/54DV		SERIAL NO. 10/814,404	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Samuel Achilefu, et al.			
(37 CFR 1.602) (Use several sheets if necessary)				FILING DATE March 31, 2004		GROUP Unknown	

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B.R	Peter L. Choyke et al., <u>Hydrated clearance of gadolinium-DTPA as a measurement of glomerular filtration rate</u> , Kidney International, Vol. 41, 1992, pp. 1595-1598.
B.S	Cdr. P.D. Doolan, MC, USN et al., <u>A Clinical Appraisal of the Plasma Concentration and Endogenous Clearance of Creatinine</u> , Amer. Jour. of Med., Vol. 32, 1962, pp. 65-79.
B.T	Richard B. Dorshow et al., <u>Monitoring physiological function by detection of exogenous fluorescent contrast agents</u> , Optical Diagnostics of Biological Fluids IV, A. Priezzhev and T. Asakura, Eds., Proceedings of SPIE 1999, Vol. 3599, pp. 2-8.

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	C.R	Richard B. Dorshow et al., <u>Noninvasive Fluorescence Detection of Hepatic and Renal Function</u> , Journal of Biomedical Optics, Vol. 3, No. 3, 1998, pp. 340-345.					
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	D.R	P. Guesry et al., <u>Measurement of glomerular filtration rate by fluorescent excitation of non-radioactive meglumine iothalamate</u> , Clinical Nephrology, Vol. 3, No. 4, 1975, pp. 134-138.					
	D.S	L. Hansen et al., <u>Synthesis of the Sulphonate and Phosphonate Derivatives of Mercaptoacetyl triglycine, X-Ray Crystal Structure of Na<sub>2</sub>(ReO(Mercaptoacetyl glycyglycyl-Aminomethanesulphonate))-3H<sub>2</sub>O</u> , Metal-Based Drugs, Vol. 1, No. 1, 1993, 31-39.					
	D.T	John Bernard Henry, M.D., <u>Clinical Diagnosis and Management by Laboratory Methods</u> , W.B. Saunders Company, 17th Ed., 1984, pp. vii-1502.					
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	E.R	Richard Lewis et al., <u>Comparative Evaluation of Urographic Contrast Media, Inulin, and 99mTc-DTPA Clearance Methods for Determination of Glomerular Filtration Rate in Clinical Transplantation</u> , Transplantation, Vol. 48, No. 5, 1989, pp. 790-796.					
	E.S	S. Lundqvist et al., <u>Iohexol Clearance for Renal Function Measurement in Gynaecologic Cancer Patients</u> , Acta Radiologica, Vol. 37, 1996, pp. 582-586.					
	E.T	G. Muller et al. (ed.), <u>Medical Optical Tomography, Functional Imaging and Monitoring</u> , SPIE Optical Engineering Press, The International Society of Optical Engineering, Bellingham, WA, 1993.					
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	F.R	Roland Muller-Suur et al., <u>Glomerular Filtration and Tubular Secretion of MAG-3 in the Rat Kidney</u> , The Journal of Nuclear Medicine, Vol. 30, 1989, pp. 1986-1991.					
	F.S	Dennis L. Nosco et al. , <u>Chemistry of technetium radiopharmaceuticals 1: Chemistry behind the development of technetium-99m compounds to determine kidney function</u> , Coordination Chemistry Reviews, Vol. 184, 1999, pp. 91-123.					
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	G.T	G.A. Reynolds et al., <u>Stable Heptamethine Perylium Dyes That Absorb in the Infrared</u> , J. Org. Chem., Vol. 42, No. 5, 1977, pp. 885-888.					
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	I.R	Carl E. Speicher, M.D., <u>The Right Test, A Physician's Guide to Laboratory Medicine</u> , W.B. Saunders Company, Harcourt, Brace, Jovanovich, Inc., 1990, pp v - 174.					
	I.S	W. Newlon Tauxe, <u>Tubular Function</u> , Nuclear Medicine in Clinical Urology and Nephrology, Appleton-Century-Crofts, Prentice-Hall, Inc., 1985, pp. 77-105.					
	I.T	Nicholas L. Tilney, M.D., <u>Acute Renal Failure in Surgical Patients, Causes, Clinical Patterns, and Care</u> , Surgical Clinics of North America, Vol. 63, No. 2, 1983, pp. 357-377.					
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